



General Assembly

February Session, 2008

***Amendment***

LCO No. 6132

**\*SB0030106132HR0\***

Offered by:  
REP. MINER, 66<sup>th</sup> Dist.

To: Senate Bill No. 301

File No. 81

Cal. No. 469

(As Amended by Senate Amendment Schedule "A")

**"AN ACT CONCERNING THE DEPARTMENT OF MOTOR VEHICLES."**

1 Strike section 5 in its entirety and insert the following in lieu thereof:

2 "Sec. 5. (NEW) (*Effective October 1, 2008*) (a) For the purposes of this  
3 section:

4 (1) "Alcoholic beverage" has the same meaning as provided in  
5 section 30-1 of the general statutes;

6 (2) "Highway" has the same meaning as provided in section 14-1 of  
7 the 2008 supplement to the general statutes;

8 (3) "Open alcoholic beverage container" means a bottle, can or other  
9 receptacle that (A) contains any amount of an alcoholic beverage, and  
10 (B) (i) is open or has a broken seal, or (ii) the contents of which are  
11 partially removed;

12 (4) "Passenger" means any occupant of a motor vehicle other than  
13 the operator; and

14 (5) "Passenger area" means (A) the area designed to seat the  
15 operator of and any passenger in a motor vehicle while such vehicle is  
16 being operated on a highway, or (B) any area of a motor vehicle that is  
17 readily accessible to such operator or passenger; except that, in a motor  
18 vehicle not equipped with a trunk, "passenger area" does not include a  
19 locked glove compartment, the area behind the last upright seat closest  
20 to the rear of the motor vehicle or an area not normally occupied by  
21 the operator of or passengers in such motor vehicle.

22 (b) No person shall possess an open alcoholic beverage container  
23 within the passenger area of a motor vehicle while such motor vehicle  
24 is on any highway or highway right-of-way in this state.

25 (c) The provisions of subsection (b) of this section shall not apply to:  
26 (1) Any passenger in a motor vehicle designed, maintained and  
27 primarily used for the transportation of persons for hire; (2) any  
28 passenger in the living quarters of a recreational vehicle, as defined in  
29 section 14-1 of the 2008 supplement to the general statutes; (3) any  
30 passenger in a privately-owned motor vehicle operated by a person in  
31 the course of such person's usual employment transporting passengers  
32 at the direction of such person's employer; (4) any passenger in a  
33 passenger motor vehicle, if one of such passengers is the owner or  
34 lessee of such vehicle and can establish, by means including, but not  
35 limited to, a receipt for payment made to the operator, that such  
36 operator has been hired by such owner or lessee to operate such  
37 vehicle; or (5) any passenger in a motor vehicle traveling to or from a  
38 Viking funeral, as defined in section 501 of this act.

39 (d) Any person who violates the provisions of subsection (b) of this  
40 section shall commit an infraction and be fined ninety dollars for a first  
41 violation, be fined two hundred dollars for a second violation and be  
42 fined five hundred dollars for any subsequent violation."

43 After the last section, add the following and renumber sections and

44 internal references accordingly:

45 "Sec. 501. (NEW) (*Effective October 1, 2008*) Notwithstanding the  
46 provisions of sections 7-64 and 7-69 of the general statutes, the body of  
47 a person who dies in this state may be disposed of in a Viking funeral.  
48 Such funeral may be conducted only on the Connecticut waters of  
49 Long Island Sound with natural materials. An official of the  
50 Department of Environmental Protection or the Long Island  
51 Soundkeeper shall authorize final disposition of a body given a Viking  
52 funeral. For the purposes of this section, "Viking funeral" means a  
53 ceremony in which the body of a deceased person is laid in a boat with  
54 several of his possessions and the boat is set on fire while being put out  
55 to sea."